

**DEPARTMENT  
POLICY****FIP and FAP Only**

A **striker** is a person involved in an employee strike, concerted stoppage, slowdown or interruption of work activities or employment operations. This includes a stoppage when a collective bargaining agreement expires.

Persons are **not** considered strikers **if** they:

- Are locked out of the workplace by the employer, **or**
- Are not part of the bargaining unit on strike, **or**
- Are non-strikers who fear reprisal if they cross a picket line, **or**
- For **FAP only**, were exempt from employment-related activities on the day before the strike for any reason **other than** being employed.

**FIP Only**

Exclude from the group a person on strike on the **last day of a calendar month**. Also exclude:

- The striker's spouse, **if** they live together, **and**
- The striker's children living with him.

**APPLICATION****FIP Only**

At application, assume a striker will be on strike on the last day of the month **unless** it is verified that he will not be.

**FAP Only**

Groups with strikers are eligible **only if** they were eligible for, or receiving FAP before the strike **and** continue to be eligible. If pre-strike **ineligibility** is established, you do **not** have to determine current eligibility.

Pre- and post-strike eligibility is determined as follows:

- Evaluate the group's nonfinancial eligibility on the **day before the strike**. If those factors were met, evaluate **current** nonfinancial eligibility.

- Calculate the fiscal group's countable **pre-strike** income. If the group was income eligible, combine
  - The striker's **pre-strike or current** countable income, whichever is higher, **plus**
  - Current countable income of other fiscal group members.

See the “**STRIKERS**” section in BEM 550.

The group is eligible **if** it meets **all** of the above conditions. Both pre-strike and current circumstances must be verified.

Document the case record including both the pre-strike and current circumstances.

### Use of Union or Company Facilities

#### FAP Only

Do **not** complete FAP certifications using services or facilities of organizations or individuals involved in a strike/lockout. However, you may use union or company officials to verify applicant information.

### ONGOING

#### FIP Only

If a group member was on strike on the last day of the report month, remove the striker from the group for **two pay periods or until the strike ends**, whichever is longer. Remove his/her spouse, if they live together, and his/her natural/adopted children who live with him/her.

#### FAP Only

Refer to the “**APPLICATION**” section above to determine whether a group with a striker continues to be eligible.

### LEGAL BASE

#### FIP

R400.3117

**FAP**

7 CFR 273.1